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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/830,191

04/21/2004

H. Thomas Graef

D-1159 R1 DIV

7717

28995

7590

11/07/2005

RALPH E. JOCKE  
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231 SOUTH BROADWAY  
MEDINA, OH 44256

EXAMINER

FRECH, KARL D

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental  
Notice of Allowability**

Application No.

10/830,191

Examiner

Karl D. Frech

Applicant(s)

GRAEF ET AL.

Art Unit

2876

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the miscellaneous letter received by fax on 9/28/05.
2. ☒ The allowed claim(s) is/are 1,2,16,17,41,42 and 44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
Karl D Frech  
Primary Examiner  
Art Unit: 2876

D-1159 R1 DIV

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
<b>H. Thomas Graef, et al.</b>	)	
	)	Art Unit 2876
Application No.: 10/830,191	)	
	)	
Confirmation No.: 7717	)	Patent Examiner
	)	Karl Frech
Filed: April 21, 2004	)	
	)	
Title: Automated Banking Machine	)	

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Kindly enter Applicants' comments without prejudice as follows:

*entered  
11/3/2005  
AKH*

Ralph E. Jocke  
Patent  
&  
Trademark Law



***FACSIMILE TRANSMISSION COVER SHEET***

TRANSMITTING: 3 PAGES (INCLUDING THIS PAGE)

NAME: **Attn: Patent Examiner Karl Frech**  
Art Unit 2876  
Commissioner for Patents  
U.S. Patent and Trademark Office

FAX NUMBER: (571) 273-2390

DATE: September 28, 2005

SENDER: Ralph E. Jocke, Esq.

FAX NUMBER: (330) 722-6446

PHONE NUMBER: (330) 721-0000

COMMENTS: Please refer to the attached **Comments on the Substance of the Interview** for Application 10/830,191 (Docket No. D-1159 R1 DIV).

If you do not receive all pages, contact the sender IMMEDIATELY at the number listed below.

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**Comments on the Substance of the Interview**

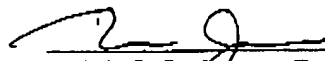
This paper summarizes and confirms what was discussed with Examiner Karl Frech during the telephone interview on September 28, 2005.

The invention claimed in the present application has at all times been subject to an obligation of assignment to Diebold, Incorporated. U.S. Patent No. 5,923,413 is assigned to InterBold. InterBold, since the time the invention claimed in the present application was made, has been a controlled subsidiary of Diebold, Incorporated. As a result, since the time the invention claimed in the present application was made, both the invention as claimed in the present application and U.S. Patent No. 5,923,413 have been subject to an obligation of assignment to and owned by the same entity, Diebold, Incorporated.

Inventor Edward L. Laskowski in the present application is also the same person as the inventor of U.S. Patent No. 5,923,413.

Respectfully submitted,

9/28/2005  
Date

  
\_\_\_\_\_  
Ralph E. Jocke Reg. No. 31,029  
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